

AN ORDINANCE

BY COUNCIL MEMBER MARY NORWOOD

C. T. Martin

AN ORDINANCE TO AMEND SECTIONS 158-26, 158-101, 158-103, AND 158-65 OF THE TREE PROTECTION ORDINANCE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

SECTION 1: That subparagraph (6) in Sec 158-26 (**Definitions**), Division 1, Article II (**Tree Protection**), of the Code of Ordinances which reads:

"City arborist means the agent of the department of the **planning and community development** responsible for administering this article.

be amended to add a new sentence to read:

"Said agent shall be a certified arborist."

so that when amended, subparagraph 6 shall read:

"City arborist means the agent of the department of the **planning and community development** responsible for administering this article. **Said agent shall be a certified arborist.**

SECTION 2: Sec. 158-101(a) under DIVISION 3. REMOVAL AND RELOCATION is hereby amended to read as follows:

"Sec. 158-101. Permit to destroy or remove.

- (a) Required. No person shall directly or indirectly remove or destroy any tree having a diameter at breast height (DBH) of six inches or more which is located on property subject to the provisions of this article without obtaining a permit as provided in this section. **The tree removal task shall be performed by a certified tree cutter or a tree cutter licensed by the City of Atlanta.** For new subdivisions, new lots of record, vacant lots, and vacant land tracts, pines of less than 12 inches DBH are exempt from the requirement for a permit.

SECTION 3: That Section 158-103(f) of the Code of Ordinances which reads:

“(f) The city arborist shall prepare a quarterly report to be presented to the tree conservation commission. The report shall include the total number and DBH of trees removed and/or the total number and DBH of trees replanted during the preceding quarter in each of the following categories: maximum recompense per acre, dead/dying/hazardous removal, landscaping permit, silvicultural removal, buildable area removal, parking lots, illegal removal, off-site planting, or any other permit or penalty category not listed. The report shall also include acreage, total number of trees and total DBH for any newly created conservation easements or newly created parklands.”

be amended to add a new paragraph to read:

The City arborist shall also prepare a quarterly report to be presented to the City Council. The report shall include an accounting of the trees lost, by address and Neighborhood Planning Unit (NPU).

SECTION 4: That Section 158-65 **Appeals** is hereby amended by adding a new subsection (b) to read as follows

“Sec. 158-65. Appeals.

(b)Appeals from decisions of the tree conservation commission.

Any person aggrieved by a decision of the commission, or any official, bureau, department or board affected by such decision, may appeal such decision to the Atlanta City Council by filing with the Municipal Clerk of the City of Atlanta in writing setting forth plainly, fully and distinctly wherein such decision is contrary to law. Such appeal shall be filed within 30 days after the date of the written decision of the commission is rendered. Upon such filing, the city municipal clerk shall give immediate notice to the Atlanta City Council.”

The present subsections (b), (c) and (d) be renumbered to (c), (d) and (e).

Section 5: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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05-0-0511 (Do Not Write Above This Line) AN ORDINANCE		First Reading Committee _____ Date _____ Chair _____ Referred To _____		FINAL COUNCIL ACTION <input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd Readings <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote		
BY COUNCIL MEMBER MARY NORWOOD <i>C.T. Walker</i> AN ORDINANCE TO AMEND SECTIONS 158-26, 158-101, 158-103, AND 158-65 OF THE TREE PROTECTION ORDINANCE OF THE CITY OF ATLANTA CODE OF ORDINANCES; AND FOR OTHER PURPOSES.		<div>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____ Refer To _____</div>		<div>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____ Refer To _____</div>		CERTIFIED MAYOR'S ACTION
<input type="checkbox"/> CONSENT REFER <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1st ADOPT 2nd READ & REFER <input checked="" type="checkbox"/> PERSONAL PAPER REFER		<div>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____ Refer To _____</div>				
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